

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRIS HAROLD CAVE,

Plaintiff,

vs.

JPM CHASE BANK INVESTMENTS
 DIVISION, *et al.*,

Defendants.

Case No. 2:16-cv-01806-RFB-GWF

ORDER

This matter is before the Court on Defendant JPMorgan Chase Bank, N.A.'s Motion to Strike (ECF No. 38) ECF Entry No. 37 Entitled Notice to Strike Attorney Hearsay and Correct Errors, filed on March 27, 2017.

Under Rule 12(f) of the Federal Rules of Civil Procedure, the Court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. Fed. R. Civ. P. 12(f). Whether to grant a motion to strike lies within the sound discretion of the district court. *Roadhouse v. Las Vegas Metro. Police Dep't*, 290 F.R.D. 535, 543 (D. Nev. 2013). Additionally, the Court may strike an improper filing under its "inherent power over the administration of its business." *Spurlock v. F.B.I.*, 69 F.3d 1010, 1016 (9th Cir. 1995). Similar to Rule 12(f) motions to strike, striking material under the Court's inherent power is wholly discretionary. See *Almy v. Davis*, No. 2:12-cv-00129-JCM-VCF, 2014 WL 773813, at *4-5 (D.Nev. Feb. 25, 2014).

Rule 7(a) of the Federal Rules of Civil Procedure states that only these types of pleadings are allowed: (1) a complaint; (2) an answer to a complaint; (3) an answer to a counterclaim designated as a counterclaim; (4) an answer to a crossclaim; (5) a third-party complaint; (6) an answer to a third-party complaint; and (7) if the court orders one, a reply to an answer. Fed. R. Civ. P. 7(a). Rule 7(b) sets forth that a motion must be in writing unless it is made during a hearing or trial, must state with

1 particularity the grounds for seeking the order, and state the relief sought. Fed. R. Civ. P. 7(b). Plaintiff's
2 Notice to strike attorney hearsay and correct errors (ECF No. 37) is incomprehensible and does not comply
3 with the Federal Rules of Civil Procedure. Accordingly,

4 **IT IS HEREBY ORDERED** that Defendant JPMorgan Chase Bank, N.A.'s Motion to Strike
5 (ECF No. 38) ECF Entry No. 37 Entitled Notice to Strike Attorney Hearsay and Correct Errors is **granted**.

6 DATED this 29th day of March, 2017.

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9 GEORGE FOLEY, JR.
United States Magistrate Judge